

Appl. No. : 09/681,948  
Filed : June 29, 2001

## REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-3 and 6-13 stand rejected under 35 U.S.C. 112, first paragraph as allegedly failing to comply with the written description requirement. This contention is respectfully traversed.

Note that nowhere does the written description requirement require that the words which are used in the claim be present in the specification "in *ipsis verbis*". The written description requirement simply requires that the specification "reasonably" conveys that the inventor had possession of the subject matter. Refer to paragraphs 24-27. These discuss the image of "real-life items" that are recognized, and replaced by indications of the actual meaning of the real-life item. For example, an image of the tree recognizes a tree, and replaces it with indication of a tree. The tree is an actual object. The term object is extensively used in paragraphs 25-27, paragraph 26 describes that each object is encoded based on its likely characteristics and having recognized what the object is. The term actual is used to explain that this is something that is actual. This distinguishes from simply line parts. An actual object, such as a tree, and outdoor street light, or a person's body, all of which are disclosed in paragraphs 24-28, certainly would be understood from the original specification.

However, upon reviewing the prior art and specification, it is believed that the term "real-life objects" which is used in the actual specification, may in fact better describe the concepts which distinguish over the prior art.

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Similarly, the unit actual object is clearly disclosed in paragraph 27 which describes a stored unit image, which is encoded based on position scale at several based on differences from the unit image.

With all due respect, therefore, the rejection based on 35 U.S.C. 112 is incorrect.

Claims 1-3 and 6-13 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite. The antecedent issues are corrected herewith by amendment. The dependency of claim 8 has also been corrected. The Examiner is thanked for pointing out these instances of indefiniteness.

Claims 1-6 and 9-13 stand rejected as allegedly being anticipated by Matsugu. Claims 14-17 stand rejected as allegedly being anticipated by Iwane. Claims 1, 6, 7 and 9 stand rejected as allegedly being anticipated by Auty. Each of these contentions are respectfully traversed, and it is respectfully suggested that the rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability.

#### Rejections over Matsugu

As previously discussed, Matsugu teaches nothing about real-life objects.

While the Patent Office is entitled to take the broadest reasonable interpretation of a claim, the Patent Office is not entitled to turn the words on their head, and especially when those words are clear when read in conjunction with the specification. The specification makes it quite clear that the objects defined by claims 1-13 are real-life objects. Examples are given as trees, faces, and the like. These are objects, and they are objects in real life. This is very different than lines and curves such as taught by Matsugu. The notion that Matsugu's lines and curves correspond to "real-life

objects" turns these words on their head. All that Matsugu teaches is lines. These do not recognize or represent real-life objects, they only represent lines. Nowhere does Matsugu teach recognizing actual objects within the image. Rather, Matsugu teaches extracting feature elements from an image. Effectively, these are lines and curves within the image. See for example column 7 lines 44-45.

Matsugu does allow dividing an image into its representative lines and curves as feature elements, but teaches nothing about real-life objects within the image. Claim 1 is thus different than Matsugu, and completely patentable thereover.

The dependent claims should be allowable for similar and analogous reasons. Claims 18 and 19 should be specifically allowable, since they define aspects which are nowhere taught or suggested by Matsugu. Claim 18 defines that the objects are represented by a generic identifier that represents many different objects of the same type. This is clearly supported by paragraphs 24-28. Claim 19 defines one of the additional aspects which represent the species within the generic identifier, described in paragraph 27. Each of these claims should be additionally allowable.

Claim 2 specifies providing individual part information indicative of how the actual objects differ from the unit objects. The rejection draws attention to column 12, line 19 through column 13 line 23 of Matsugu. However, this cited section simply shows an embodiment that allows animating the background image. This part of Matsugu describes how the image may be moved, for example by moving body parts, walking or running. It teaches nothing about a real life object and how the image differs from the real-life object.

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Claim 3 defines size and orientation of the objects relative to the real life object. Again, the rejection of this claim refers to the animation embodiment column 13 lines 26-35 of Matsugu. Animating for different points of view as done by Matsugu, is entirely different than the claimed storing information about an actual object including information about the size and orientation of the object relative to the unit object.

Claim 9 should be allowable for analogous reasons, there is absolutely no teaching or suggestion of the kind of claimed database in Matsugu. Specifically, Matsugu has no teaching or suggestion of a database that stores real-life objects, and replaces them with indications indicative of those real-life objects.

The claims which depend from claim 9 should be allowable for analogous reasons.

Claims 14-17 now stand newly rejected over Iwane. Initially, the undersigned believes that Iwane will not properly qualify as prior art, since its effective date as prior art in the United States predates Applicants filing date by only four days, and Applicant was working on the filing of the patent application for at least a month prior to that actual filing date. However, this is not really important, since Iwane teaches nothing about the subject matter of updating the database with a list of image portions that are not found. The rejection refers to paragraphs 267-270, but this simply teaches replacing data in the input image with attribute. Iwane teaches nothing about storing a list of image portions which are not present in the database, to use to later update the database. Iwane certainly teaches about nothing about claim 15 which requires sending that to a database developer, claim 16 which requires compressing the image using information in the database, or claim 17 which requires obtaining updates to the

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database from the database developer. None of this is in any way taught or suggested by Iwane.

Claims 1, 6, 7 and 9 stand rejected as allegedly being anticipated by Auty. Auty teaches a vehicle monitoring system, which includes a camera. The rejection alleges that Auty recognizes actual objects in the image and replaces them by an indication representing the recognized part.

The rejection draws attention to column 5 lines 13 through 17 which the rejection alleges recognizes the actual objects. However, column 5 lines 13 through 17 simply states that the front of the vehicle is imaged and that identifying information such as vehicle type and license plate details can be determined. Effectively, apparently, this simply reads text from the image, see for example column 6 lines 28-29 that explains this. The following sentences explain that the system can distinguish between large vehicles such as trucks and small vehicles such as cars and motorbikes. However, there is no teaching or suggestion of recognizing real-life objects in the image. Certainly there is no teaching or suggestion of replacing parts in the image by an indication representing that part. The vehicle monitoring system tries to find out as much information as it can about the vehicles around, but never teaches or suggests replacing parts of the image with an indication representing the recognized part.

Finally, this amendment makes clear the intended meaning of the words “real-life objects” and other analogous words. If the Examiner has any better suggestions for terms to claim this, then any such suggestions would be appreciated. Otherwise, the patent office is respectfully requested to use the intended meaning of these words

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during examination, rather than attempting to broaden these words in a way that clearly strains their meaning.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Therefore, and in view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please charge any fees due in connection with this response to Deposit Account No. 50-1387.

Respectfully submitted,

Date: 6/12/06

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